

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of: VIERICH, Ralf, and FERGUSON, Kevin

Serial No.	: 10/624,490	Group Art Unit	: 2166
Filed	: July 23, 2003	Examiner	: Ahn, Sangwoo
For	: Parameterised Database Drill-through		
Date	: September 17, 2008	Docket No.	: 08005.0010

The Honorable Commissioner of Patents and Trademarks,
MAIL STOP APPEAL BRIEF - PATENTS
P.O. Box 1450
ALEXANDRIA, VA22313-1450

SUBMISSION OF APPEAL BRIEF

Sir:

This Appeal is from the decision of the Patent Examiner dated February 19, 2008, rejecting claims 32-48, which are reproduced as (VIII) Claim Appendix in this Appeal Brief.

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Respectfully Submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Patent Application of: VIERICH, Ralf, and FERGUSON, Kevin

Serial No.	: 10/624490	Group Art Unit:	2166
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APPEAL BRIEF

Appellants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

(I) REAL PARTY IN INTEREST

The entire interest in the present application, and the invention to which it is directed, is assigned to International Business Machines Corporation, as recorded in the Patent and Trademark Office on Reel 021398, Frame 0001 on August 18, 2008.

(II) RELATED APPEALS AND INTERFERENCES

To the knowledge and belief of Appellants, the Assignee, and the undersigned, there are no other appeals or interferences before the Board of Appeals and Interferences that will directly affect or be affected by the Board's decision in the instant Appeal.

(III) STATUS OF CLAIMS

Claims 1-31 are cancelled. Claims 32-48 are pending, all of which have been rejected. Thus, the rejections of claims 32-48 are appealed herein. A list of the claims on appeal is provided in (VIII) Claim Appendix.

(IV) STATUS OF AMENDMENTS

No amendments have been filed subsequent to the Final Rejection dated February 19, 2008.

(V) SUMMARY OF CLAIMED SUBJECT MATTER

This invention relates to retrieving information from a database based on content aggregation, management and distribution (see the present application, page 1, lines 6-8).

Independent claim 32 recited a method for navigating (see the present application, page 2, line 27) from a source report to a target report (see the present application, page 1, lines 13-14) in a business intelligence application (see the present application, page 6, line 28), the method comprising the steps of: providing a parameter (see the present application, page 8, line 26 *et seq.*, and Figures 2-4) for an item (see the present application, page 8, line 25 *et seq.*, and Figures 2-4), the parameter defining an input or an output to a drill-through source or a drill-through target (see the present application, page 6, lines 10-11); establishing a parameter mapping (see the present application, page 8, lines 26-27, numeral 240 in Figure 2) between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item (see the present application, page 6, lines 6-7; page 9, lines 15-17; page 11, lines 20-24 and Figures 3-5); defining a drill-through path from the drill-through source to the drill-through target (see the present application,

page 9, lines 20-21), the drill-through path including the parameter mapping (see the present application, page 7, line 21; page 12, lines 27-28; page 13, lines 3-4; page 14, lines 24-25; and Figure 7); and applying the context of the drill-through source to the drill-through target (see the present application, page 2, line 28).

Independent claim 41 recited a system (see the present application, claim 10 as originally filed) for navigating (see the present application, page 2, line 27) from a source report to a target report (see the present application, page 1, lines 13-14) in a business intelligence application (see the present application, page 6, line 28), the system comprising: means for providing a parameter (see the present application, page 8, line 26 *et seq.*, and Figures 2-4) for an item (see the present application, page 8, line 25 *et seq.*, and Figures 2-4), the parameter defining an input or an output to a drill-through source or a drill-through target (see the present application, page 6, lines 10-11); means for establishing a parameter mapping (see the present application, page 8, lines 26-27, numeral 240 in Figure 2) between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item (see the present application, page 6, lines 6-7; page 9, lines 15-17; page 11, lines 20-24 and Figures 3-5); means for defining a drill-through path from the drill-through source to the drill-through target (see the present application, page 9, lines 20-21), the drill-through path including the parameter mapping (see the present application, page 7, line 21; page 12, lines 27-28; page 13, lines 3-4; page 14, lines 24-25; and Figure 7); and means for applying the context of the drill-through source to the drill-through target (see the present application, page 2, line 28).

Independent claim 45 recited a storage medium (see the present application, claim 17 as originally filed) readable by a computer encoding a computer program for execution by the computer to carry out a method for navigating (see the present application, page 2, line 27) from a source report to a target report (see the present application, page 1, lines 13-14) in a business

intelligence application (see the present application, page 6, line 28), the computer program comprising: code means for providing a parameter (see the present application, page 8, line 26 *et seq.*, and Figures 2-4) for an item (see the present application, page 8, line 25 *et seq.*, and Figures 2-4), the parameter defining an input or an output to a drill-through source or a drill-through target (see the present application, page 6, lines 10-11); code means for establishing a parameter mapping (see the present application, page 8, lines 26-27, numeral 240 in Figure 2) between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item (see the present application, page 6, lines 6-7; page 9, lines 15-17; page 11, lines 20-24 and Figures 3-5); code means for defining a drill-through path from the drill-through source to the drill-through target (see the present application, page 9, lines 20-21), the drill-through path including the parameter mapping (see the present application, page 7, line 21; page 12, lines 27-28; page 13, lines 3-4; page 14, lines 24-25; and Figure 7); and code means for applying the context of the drill-through source to the drill-through target (see the present application, page 2, line 28).

(VI) GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Claims 32-48 were rejected under 35 U.S.C. §102(e) as being anticipated by Thomson et al. (US Application 2004/0034615), hereinafter referred to as Thompson.

Claims 41-44 were further rejected under 35 U.S.C. §101 as being directed to a non-statutory subject-matter.

(VII) ARGUMENT

Rejection under 35 U.S.C. §102(e)

Appellants respectfully submit that claims 32-48 are novel over Thompson.

The present claimed invention is directed to a method, a system and storage medium including computer executable code means for navigating from a source report to a target report in a business intelligence application by providing a parameter for an item. The parameter defines an input or an output to a drill-through source or a drill-through target. A parameter mapping is then established between the parameter and the item. The parameter mapping maps context elements from the drill-through source to the item. A drill-through path including the parameter mapping from the drill-through source to the drill-through target is defined. The context of the drill-through source to the drill-through target is then applied in this parameterized drill-through.

Thompson, at least, does not teach or suggest the following claimed limitations:

1. providing a parameter for an item, the parameter defining an input or an output to a drill-through source or a drill-through target.

The Examiner stated that Thompson at paragraph [0062] lines 2-5 teaches this limitation.

Appellants respectfully disagree.

In Thompson, the "user first selects the drill-through context by pointing and clicking at the data and values of interest in an originating report. This typically consists of picking one or more cell values or members in an originating report and activating the drill-through option". See paragraph [0062] lines 2-5 of Thompson.

Evidently, Thompson does not teach or suggest a parameter for an item, which defines an input or an output to a drill-through source or a drill-through target.

2. establishing a parameter mapping between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item

The Examiner further stated that Thompson at paragraph [0057] lines 8-12 teaches this limitation.

Appellants respectfully disagree.

In Thompson, the user is presented with a list of appropriate drill-through target reports, which are determined by the translation system from a list of appropriate target report for the combination of originating and target data sources. The process and data are represented as drill data package 104. See paragraph [0055] lines 7-12 of Thompson.

A context is determined, i.e. extracted, by the processes included in the client computer platform, or working in, or with, the data package in which the user drill-through request has been made. See paragraph [0056] lines 1-4 of Thompson. "Translation service 106 translates from the extracted context into the context for the target data source. The translation service uses translation map 108 (and other parts of a context model and translation model, as needed) and target report list 110 to perform the translation". See paragraph [0057] lines 8-12 of Thompson.

Evidently, Thompson discloses a context based on user drill-through request, and the use of a translation map to translate the context into the context for the target data source. Thomson does not teach or suggest a parameter mapping between the parameter and the item, the parameter for the item, as discussed

in the above, defines an input or an output to a drill-through source or a drill-through target.

3. defining a drill-through path from the drill-through source to the drill-through target, the drill-through path including the parameter mapping

The Examiner stated that Thompson at paragraph 11 lines 10 -12, paragraph 14 lines 3-7, paragraph 57 lines 8-12 discloses this limitation.

Appellants respectfully disagree.

As discussed in the above, Thompson at paragraph [0057] lines 8-12 discusses the translation service using a translation map, and does not teach or suggest a parameter mapping. Thompson at paragraph [0011] lines 9-14 discusses mapping between databases in general terms. Thompson at paragraph [0014] lines 3-7 discusses, as throughout the disclosure of Thompson, a mapping engine mapping data between databases of different types that contain independent data using different relationships, naming conventions, structures, presentation models.

Therefore, Thompson at paragraph [0011] lines 10 -12, paragraph [0014] lines 3-7, or paragraph [0057] lines 8-12 does not teach or suggest a drill-through path including the parameter mapping.

4. applying the context of the drill-through source to the drill-through target

The Examiner stated that Thompson at page 21, lines 4-7, paragraphs 38-39, paragraph 57 lines 8-12, paragraph 105 discloses this limitation.

Appellants respectfully disagree.

As discussed in the above, Thompson at paragraph [0057] lines 8-12 discusses the translation service using a translation map, and does not teach or suggest application of context of the drill-through source. Thompson at page 21, lines 4-7 is part of claim 32 and is directed to "defining translation maps for accessing cube metadata". Thompson at paragraph [0038] describes what "context" is.

In [0105], Thompson states that "... context application, which is the process of applying the context to the target report or data source". Here, Thompson applies the context only to the target report or data source, and is silent about the application of context to the drill-through target.

In fact, Thompson at paragraph [0039] teaches away from Applicants' invention.

In [0039], "[c]ontext transfer' includes the act of migrating a "slice" from one database/ tool/ report to another...". In other words, context in Thompson is a slice of database/tool/report, and instead of "applying the context of the drill-through source to the drill-through target" as claimed, Thompson migrates the slice.

In order to properly anticipate Applicants' claimed invention under 35 U.S.C. §102, each and every element of the claimed invention must be found, either expressly described or under principles of inherency, in a single prior art reference. Thompson fails to meet this requirement, and provides no teaching that would have suggested the desirability of modification to include such elements. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in ... the claim." See M.P.E.P. §2131 (8th Ed., Rev. 3, Aug. 2005), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126,1236, 9 U.S.P.Q. 2d 191 3, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." MPEP 2131 (8th Ed.).

For at least the foregoing reasons, Appellants submit that the rejections of

claims 32-48 under 35 U.S.C. §102(e) are improper and without basis. Accordingly, Appellants respectfully request that the panel issue a written decision withdrawing the rejection of claims 32-48 under 35 U.S.C. §102(e).

Appellants respectfully submit that the dependent claims are novel at least by virtue of their dependencies and further distinguish the invention.

Rejection under 35 U.S.C. §101

The Examiner further stated that “[i]f all elements would have been reasonably interpreted in light of the disclosure by one of ordinary skill as software alone, the claim is directed to software per se and is non-statutory.

Appellants respectfully submit that claims 41-44 are directed to a statutory subject-matter.

Appellants note that while abstract ideas, natural phenomena, and laws of nature are not eligible for patenting, methods and products employing abstract ideas, natural phenomena, and laws of nature to perform a real-world function may well be. In evaluating whether a claim meets the requirements of section 101, the claim must be considered as a whole to determine whether it is for a particular application of an abstract idea, natural phenomenon, or law of nature, and not for the abstract idea, natural phenomenon, or law of nature itself. (see MPEP 2106 IV (C)). There is no support in the disclosure to interpret the claimed system as “software alone”.

These three exclusions recognize that subject matter that is not a practical application or use of an idea, a law of nature or a natural phenomenon is not patentable. See, e.g., *Rubber-Tip Pencil Co. v. Howard*, 87 U.S. (20 Wall.) 498, 507 (1874) (“idea of itself is not patentable, but a new device by which it may be made practically useful is”); *Mackay Radio & Telegraph Co. v. Radio Corp.*

of America, 306 U.S. 86, 94, 40 USPQ 199, 202 (1939) (“While a scientific truth, or the mathematical expression of it, is not patentable invention, a novel and useful structure created with the aid of knowledge of scientific truth may be.”); *Warmerdam*, 33 F.3d at 1360, 31 USPQ2d at 1759 (“steps of ‘locating’ a medial axis, and ‘creating’ a bubble hierarchy . . . describe nothing more than the manipulation of basic mathematical constructs, the paradigmatic ‘abstract idea’”). (MPEP 2106 IV (A)).

Claim 41, for example, includes the limitation of “means for applying the context of the drill-through source to the drill-through target” which transforms the drill-through data source to a different state or thing by applying the context. Claim 41 is therefore directed to practical application.

Appellants respectfully submit that claims 42-44 are directed to a statutory subject-matter at least by virtue of their dependencies.

Conclusion

Appellants have demonstrated that the present invention as claimed is clearly distinguishable over the art cited of record. Therefore, Appellants respectfully request the Board of Patent Appeals and Interferences to reverse the rejection of the Examiner, issued on February 19, 2008, and instruct the Examiner to issue a notice of allowance of all claims.

(VIII) CLAIM APPENDIX

The Appealed Claims:

32. A method for navigating from a source report to a target report in a business intelligence application, the method comprising the steps of:

providing a parameter for an item, the parameter defining an input or an output to a drill-through source or a drill-through target;

establishing a parameter mapping between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item;

defining a drill-through path from the drill-through source to the drill-through target, the drill-through path including the parameter mapping; and

applying the context of the drill-through source to the drill-through target.

33. The method according to claim 32, wherein the parameter mapping includes a mapping function.

34. The method according to claim 33, wherein the mapping function is selected from a group consisting of translating data during drill-through operation, converting data during drill-through operation, and selecting a conversion using the parameter.

35. The method according to claim 32, wherein the item represents a member selected from a group consisting of a report column, a second parameter, a drill-through source and a drill-through target.

36. The method according to claim 32, further comprising the steps of:

accepting a request from a user; and

translating the request into the drill-through path.

37. The method of claim 34 wherein the translating step includes the steps of:

creating a list of parameters from the drill-through source and the drill-through target;

for each source parameter originating from the drill-through source, determining a collectable parameter mapping that maps the parameter to the drill-through target;

collecting the collectable parameter as the drill-through path;

creating respective parameter mapping from the drill-through source to the drill-through target for each potential parameter mapping terminating at the same target parameter.

38. The method of claim 32 wherein the drill-through source is selected from a group consisting of report, model, and cube.

39. The method of claim 32 wherein the drill-through target is selected from a group consisting of report, model and cube.

40. The method of claim 32 wherein the drill-through path is defined by a Uniform Resource Locator (URL).

41. A system for navigating from a source report to a target report in a business intelligence application, the system comprising:

means for providing a parameter for an item, the parameter defining an input or an output to a drill-through source or a drill-through target;

means for establishing a parameter mapping between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item;

means for defining a drill-through path from the drill-through source to

the drill-through target, the drill-through path including the parameter mapping; and

means for applying the context of the drill-through source to the drill-through target.

42. The system of claim 41, wherein the parameter mapping includes a mapping function.
43. The system of claim 41, wherein the mapping function is selected from a group consisting of translating data during drill-through operation, converting data during drill-through operation, and selecting a conversion using the parameter.
44. The system of claim 41, wherein the item represents a member selected from a group consisting of a report column, a second parameter, a drill-through source and a drill-through target.
45. A storage medium readable by a computer encoding a computer program for execution by the computer to carry out a method for navigating from a source report to a target report in a business intelligence application, the computer program comprising:

code means for providing a parameter for an item, the parameter defining an input or an output to a drill-through source or a drill-through target;

code means for establishing a parameter mapping between the parameter and the item, the parameter mapping mapping context elements from the drill-through source to the item;

code means for defining a drill-through path from the drill-through source to the drill-through target, the drill-through path including the parameter mapping; and

code means for applying the context of the drill-through source to the

drill-through target.

46. The storage medium of claim 45, wherein the parameter mapping includes a mapping function.
47. The storage medium of claim 45, wherein the mapping function is selected from a group consisting of translating data during drill-through operation, converting data during drill-through operation, and selecting a conversion using the parameter.
48. The storage medium of claim 45, wherein the item represents a member selected from a group consisting of a report column, a second parameter, a drill-through source and a drill-through target.

(IX) EVIDENCE APPENDIX

None

(X) RELATED PROCEEDINGS APPENDIX

None

Respectfully Submitted,

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